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<b>CONTINUED PROSECUTION APPLICATION (CPA)</b> <b>REQUEST TRANSMITTAL</b> Submit an original, and a duplicate for fee processing. (Only for Continuation or Divisional applications under 37 CFR 1.53(d))		CHECK BOX, if applicable: <input type="checkbox"/> DUPLICATE
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Address to: <b>Assistant Commissioner for Patents</b> <b>Box CPA</b> <b>Washington, DC 20231</b>	Attorney Docket No. of Prior Application	TORO 0101 PUS
	First Named Inventor	Torossian
	Examiner Name	Shahnan-Shah, K.
	Group Art Unit	1645
	Express Mail Label No.	EL 852835444 US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d) (continued prosecution application (CPA)) of prior application number 09 / 125,747 filed on August 25, 1998, entitled Anti-Helicobacter Vaccine Complex

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either (1) a complete application as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
 \_\_\_\_\_
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

[Page 1 of 2]

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PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Group Art Unit: 1645

Fernand Narbey Torossian

Examiner: Shahnan-Shah, K.

Serial No.: 09/125,747

Filed: August 25, 1998

For: ANTI-HELICOBACTER VACCINE COMPLEX

Attorney Docket No.: TORO 0101 PUS

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail (No. EL 852835444 US) addressed to: Assistant Commissioner for Patents, Box CPA, Washington, D.C. 20231 on:

Jan 16, 2002  
(Date of Deposit)

Karen A. Harb  
(Signature)

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Box Non-Fee Amendment  
Washington, D.C. 20231

Sir:

This is in response to the Final Official Action dated August 28, 2001, the period for a response to which has been extended to January 28, 2002, by the request for a two-month extension of time filed concurrently herewith, together with payment of the applicable fee.

In the Specification:

Page 13, lines 5-6: Delete the two lines and substitute the following therefor:

a - Amino acid sequences containing the following concentrations expressed in  
g/kg:

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